

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

John McBrearty, Carl McBrearty and Nina	:	
McBrearty,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	
	:	
	:	NO. 02-CV-4553
Delaware County Sheriff's Department et al.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 1st day of June 2004, it is ORDERED as follows:

1. An evidentiary hearing will be conducted on Plaintiff, John McBrearty's Motion for Extension of Time (Dkt. No. 53) (properly characterized as a Motion for Reopening the Time to file an Appeal Pursuant to Federal Rule of Appellate Procedure 4(a)(6) ) at 10:00AM on Thursday, June 10, 2004, in Courtroom 12A, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.

2. The Plaintiffs, as the moving parties, are required to present evidence to support their contention that the Court's February 24, 2004 Memorandum and Order (Dkt. No. 52) was not properly served upon Plaintiffs.

3. All parties seeking to join in the instant Motion must attend the June 10, 2004 hearing; otherwise, their claims will be deemed waived.

BY THE COURT:

Legrome D. Davis